

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:21-CV-00566-GCM**

JONATHAN BYERS,

Plaintiff,

v.

GASTONIA POLICE DEPARTMENT,

Defendant.

ORDER

THIS MATTER comes before the Court on its own motion. The Court has reviewed the pro se Complaint (ECF No. 1) in this matter. In its current form, the complaint is frivolous on its face and must be dismissed because it fails to state a claim upon which relief can be granted. The complaint does not identify a statutory or constitutional basis for federal question jurisdiction and the statement of the claim is a single sentence: “The firearm was stolen and was registered.” ECF No. 1 at 3–4.

The Court directs Plaintiff to Rule 8 of the Federal Rules of Civil Procedure.¹ To state a legal claim, a complaint must (1) contain and short and plain statement of the grounds for the court’s jurisdiction; (2) a short and plain statement of the claim showing the pleader is entitled to relief; and (3) a demand for the relief sought. Fed. R. Civ. P. 8(a). Put simply, the complaint must include enough detail for the Defendant to understand what the claim is. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007).

¹ The Court’s “Pro Se Litigant Guide” has more information. *See* United States District Court for the Western District of North Carolina, *Filing Without an Attorney*, available at <https://www.ncwd.uscourts.gov/filing-without-attorney> (last visited Oct. 22, 2021).

IT IS THEREFORE ORDERED that the Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE**. The Plaintiff is free to re-file another complaint with more detail about the factual and legal basis for his claim.

SO ORDERED.

Signed: October 25, 2021



Graham C. Mullen
United States District Judge

